



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

In Re:)	
)	
CLIFFORD LEE FRYMAN and)	Case No. 06-10937-M
PEGGY CAROL JUNE FRYMAN,)	Chapter 7
)	
Debtors.)	
)	
SCOTT P. KIRTLEY, TRUSTEE,)	Adversary No. 06-01241-M
)	
Plaintiff,)	
)	
vs.)	
)	
REVA JOYCE FRYMAN,)	
)	
Defendant.)	

JOURNAL ENTRY OF DEFAULT JUDGMENT

Before the Court is the Motion for Default Judgment filed by the Plaintiff Scott P. Kirtley, Trustee (the "Plaintiff") on April 6, 2007. On September 25, 2006, the Plaintiff filed his Complaint seeking authority to sell both the Plaintiff's and Reva Joyce Fryman's (the "Defendant's") interest in real property pursuant to 11 U.S.C. § 363(h). On April 4, 2007, the Clerk of the Bankruptcy Court entered an Entry of Default against the Defendant pursuant to Federal Rule of Civil Procedure 55(a), made applicable to adversary proceedings by Federal Rule of Bankruptcy Procedure 7055. The Plaintiff now seeks an entry of default judgment against the Defendant pursuant to Federal Rule of Civil Procedure 55(b).

The Court, having reviewed the pleadings in the adversary proceeding, the Chapter 7 case of the Debtors, Case No.06-10937-M, and the relevant legal authorities, and being fully advised, finds that default judgment should be entered against the Defendant authorizing the Plaintiff to sell his

interest and Defendant's interest in the following real property:

A tract in S2 SE4 SE4 Beg. SE/C, N on E/L 475.5', S 88-23-31, W 308.82', N 75-54-28, W 183.38', N 89-01-51, W 111.69', S 67-13-30, W 426.52', S 00-01-46, E 347.98' to a Point on S/L Section, E on S/L 991.49' to Point of Beg., Section 15, Township 21 North, Range 15 East of the I. B. & M, according to the U.S. Government Plat thereof,

(the "Real Property") pursuant to 11 U.S.C. § 363(h).

Based upon the allegations contained in the Complaint and the undisputed admission of the Defendant, the Court finds that the Plaintiff has established his case as a matter of law. The Plaintiff's Motion is therefore granted and it is hereby determined that the Plaintiff is authorized to sell the Real Property pursuant to 11 U.S.C. § 363(h). Additionally, the Plaintiff shall, subject to further approval of the Bankruptcy Court, be awarded, pursuant to 11 U.S.C. § 363(j), his costs and expenses to be paid from the proceeds of the sale.

SO ORDERED THIS 12th day of April, 2007.

BY THE COURT:



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

Prepared by:

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